

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER
DISASTER SITE LITIGATION

21 MC 100 (AKH)

DENNIS THOMSON,

Plaintiff,

Civil Action No. 05 cv 07520 (AKH)

v.

CITY OF NEW YORK,

Defendant.

ORDER

ALVIN K. HELLERSTEIN, U.S.D.J.:

WHEREAS, Plaintiff Dennis Thomson has asserted claims against the City of New York in the above-captioned litigation ("Thomson action"), alleging respiratory injuries arising from his alleged participation in the rescue, recovery, and debris removal operation at the World Trade Center Site and related locations following the collapse of the World Trade Center towers after the terrorist attacks of September 11, 2001 ("9/11"), and also separately alleging an orthopedic injury arising from a September 6, 2004 incident unrelated to the post-9/11 rescue, recovery and debris removal operation; and

WHEREAS, Plaintiff's action has been consolidated, for pre-trial purposes, in the above-captioned master docket ("21 MC 100 Litigation"); and

WHEREAS, the Court previously entered a stay of discovery in all cases consolidated in the 21 MC 100 Litigation; and

WHEREAS, Plaintiff has moved before this Court to lift the stay of discovery only with respect to his orthopedic injury claim;

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The stay of discovery with respect to Plaintiff's orthopedic injury claim is hereby lifted;


2. All parties to the Thomson action may proceed to take discovery only related to Plaintiff's orthopedic injury claim;

3. This Order shall not apply to any other individual action consolidated in the 21 MC 100 Litigation;

4. Except as otherwise stated herein, this Order shall not supersede any Orders previously entered in the Thomson action, the 21 MC 100 Litigation, or any individual action consolidated thereunder.

SO ORDERED.

Dated: November 10, 2010
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge